THE HON'BLE MR JUSTICE B.PRAKASH RAO

And

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT APPEAL NO.1508 OF 2005

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9th November 2005

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 13.07.2005 in W.P.NO.5459 OF 2005 on the file of the High Court.)

Between:

State Bank of India Rep. by its Assistant General Manager,
Zonal Office, Suryaraopet, Vijayawada, Krishna District.

...APPELLANT

AND

1. The Government of India, rep.by its Desk Officer, Ministry of Labour, New Delhi.
2. The Central Government Industrial Tribunal-cum-Labour Court, rep.by its Presiding Officer, M-2, Block, Manoranjan Complex, M.J.Road, Hyderabad.
3. Sri T.Venkateswarlu, S/o.and age not known, Vijayawada, Krishna District.

...RESPONDENTS

THE HON'BLE MR JUSTICE B.PRAKASH RAO

And

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT APPEAL NO.1508 of 2005

JUDGMENT: (Per the Hon'ble Mr Justice B.Prakash Rao)

Heard Sri B.G.Ravinder Reddy, the learned Standing Counsel appearing on behalf of the appellant and the third respondent, who appeared party-in-person.

This appeal is at the instance of the unsuccessful writ petitioner, who sought to assail the order No.L-12012/176/2003-IR (B-1) dated 10.09.2003 and order No.L-12012/176/2004-IR (B-1) dated 21.02.2005 of the first respondent herein before the second respondent herein in seeking a decision on the preliminary issue as to whether the reference made at the instance of the third respondent is barred by the principles of *res judicata*. The learned Single Judge, after taking into consideration the several issues framed subsequent to the reference and also the reference made to the Tribunal, did not find favour with the appellant herein and dismissed the Writ Petition.

Having heard both the sides at length, we deem it more appropriate that the earlier

enquiry on the reference including the question of bar on principles of *res judicata*, should be completed within a period of two months uninfluenced by any of the observations in the Writ Petition after giving opportunity to both the sides. In the circumstances, we do not find any merits in the Writ Appeal.

The Writ Appeal is accordingly dismissed. No costs.

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(B.PRAKASH RAO, J)

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(DR G.YETHIRAJULU, J)

9th November 2005

RRB

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